

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GORDAN LARRY AHENAKEW, JR.,

Defendant.

CR-18-07-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on May 22, 2024. (Doc. 74.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 7, 2024 (Doc. 61) and on May 21, 2024. (Doc. 72.) The United States accused Gordan Ahenakew

(Ahenakew) of violating his conditions of supervised release by (1) failing to comply with substance abuse treatment requirements on January 24, 2024; (2) consuming alcohol on January 25, 2024; (3) failing to comply with substance abuse treatment requirements on February 21, 2024; (4) consuming alcohol on February 21, 2024; (5) by failing to refrain from the use of a controlled substance, admitting that he “got high” on February 21, 2024; (6) by failing to report as directed on February 21, 2024; and (7) by testing positive for methamphetamine on April 18, 2024. (Docs. 57 and 67.)

At the revocation hearings, Ahenakew admitted to having violated the conditions of his supervised release by (1) failing to comply with substance abuse treatment requirements on January 24, 2024; (2) consuming alcohol on January 25, 2024; (3) failing to comply with substance abuse treatment requirements on February 21, 2024; (5) by failing to refrain from the use of a controlled substance, admitting that he “got high” on February 21, 2024; (6) by failing to report as directed on February 21, 2024; and 7) by testing positive for methamphetamine on April 18, 2024. The government moved to dismissed alleged violation number 4. (Docs. 61 and 72.)

Judge Johnston found that the violations Ahenakew admitted prove serious and warrants revocation of his supervised release and recommends a sentence of time served with 12 months of supervised release to follow. Ahenakew was advised

of his right to appeal and his right to allocute before the undersigned and waived those rights. (Doc. 72.) The violations prove serious and warrants revocation of Ahenakew's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 74.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Gordan Larry Ahenakew, Jr. be sentenced to the Bureau of Prison for a term of time served, with 12 months of supervised release to follow.

DATED this 22nd day of May, 2024.



Brian Morris, Chief District Judge
United States District Court